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Attorneys for Defendant General Motors LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MONTEVILLE SLOAN, JR., RAUL SIQUEIROS,
JOSEPH BRANNAN, LARRY GOODWIN, TED
EDGECOMB, MARC PERKINS, DONALD
LUDINGTON, THOMAS SHORTER, DERICK
BRADFORD, GABRIEL DEL VALLE, KEVIN
HANNEKEN, GAIL LANNOM, BRADLEY K.
ZIERKE, DAN MADSON, JAMES FAULKNER,
JOSEPH OLIVIER, SCOTT SMITH, ROSS DAHL,
DREW PETERSON, MICHAEL WARE, STEVE
KITCHEN, JOHN NEUBAUER, BARBARA MOLINA,
STEVEN EHRKE, BILL MAUCH, THOMAS
GULLING, RONALD JONES, MIKE WARPINSKI,
JOHN GRAZIANO, JOSHUA BYRGE, RUDY
SANCHEZ, CHRISTOPHER THACKER, RANDY
CLAUSEN, JAMES ROBERTSON, and JONAS
BEDNAREK, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

GENERAL MOTORS LLC,

Defendant.

Case No. 3:16-cv-07244-EMC

**STIPULATION RE BRIEFING
OF MOTION TO DISMISS AND
RESCHEDULING OF CASE
MANAGEMENT CONFERENCE**

1 **WHEREAS**, this action was filed on December 19, 2016, and the parties previously
2 stipulated in writing pursuant to Local Rule 6-1(a) that defendant General Motors LLC (“GM”)
3 would have until February 10, 2017 to answer, move or otherwise respond to the original
4 Complaint, which was filed on behalf of sixteen of the plaintiffs and contained 800 numbered
5 paragraphs and 63 separate claims for relief under the Magnuson-Moss Act and the laws of
6 thirteen states;

7 **WHEREAS**, on February 6, 2017, plaintiffs’ counsel informed GM that plaintiffs’
8 counsel wanted to amend the original Complaint to add additional plaintiffs and assert claims
9 arising under the laws of additional states;

10 **WHEREAS**, the parties the agreed in writing that plaintiffs would have until February
11 27, 2017 to file their First Amended Complaint and GM would have until March 20, 2017 to file
12 its motion to dismiss;

13 **WHEREAS**, plaintiffs’ counsel on February 27, 2017 filed a First Amended Complaint
14 on behalf of thirty-five named plaintiffs that contains 1765 numbered paragraphs and 155
15 separate claims for relief under the Magnuson-Moss Act and the laws of thirty-two states;

16 **WHEREAS**, plaintiffs have provided GM’s undersigned counsel with a Waiver of
17 Summons on the First Amended Complaint that GM’s counsel has executed and returned to
18 plaintiffs’ counsel pursuant to which GM would have sixty days after March 1, 2017 to answer,
19 move or otherwise respond to the First Amended Complaint;

20 **WHEREAS**, the Court has set a Case Management Conference for March 28, 2017;

21 **IT IS HEREBY STIPULATED**, by and between plaintiffs and GM, by and through their
22 undersigned counsel, that the Court may enter its order as follows:

- 23 1. GM shall have until April 10, 2017 to file its motion to dismiss the First Amended
24 Complaint;
- 25 2. Plaintiffs shall have until May 25, 2017 to file opposition to GM’s motion;
- 26 3. GM shall have until June 15, 2017 to file its reply to plaintiffs’ opposition;
- 27 4. The hearing on GM’s motion shall be set on July 6, 2017 or any later date that is
28 convenient for the Court;

5. The following page limits shall apply to the briefing of GM's motion:

Motion: thirty-five (35) pages

Opposition: thirty-five (35) pages

Reply: twenty (20) pages

6. The Case Management Conference set for March 28, 2017 is vacated. The parties will submit Case Management Statements in accordance with the Court's Order Setting Case Management Conference within thirty days after the Court issues its ruling on GM's motion, with the Case Management Conference to be set thereafter at a date and time convenient for the Court.

DATED: March 6, 2017

/s/ Adam J. Levitt
Adam J. Levitt

/s/ Gregory R. Oxford
Gregory R. Oxford

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*Counsel for Plaintiffs and the Proposed
Classes*

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Counsel for General Motors LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED, the CMC is reset from 3/28/17 to 8/17/17. A joint CMC statement shall be filed by 8/10/17.

Dated: March ⁹, 2017

United States District Judge

